

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 HUMBERTO DIAZ and SOUAD SUE  
4 AWADA,

5 Plaintiffs

6 v.

7 SWIFT TRANSPORTATION CO. OF  
8 ARIZONA, LLC and BRAYAN  
9 GUITERREZ,

Defendants

Case No.: 2:23-cv-00108-APG-EJY

**Order Deeming Order to Show Cause  
Satisfied**

10 I previously ordered the plaintiffs to show cause why this cause should not be dismissed  
11 for lack of subject matter jurisdiction because the plaintiffs based jurisdiction on diversity but  
12 failed to identify the citizenship of the members of defendant Swift Transportation Co. of  
13 Arizona, LLC. ECF No. 6. In response to my order to show cause, the plaintiffs filed an  
14 amended complaint that attempts to address the citizenship of the defendant LLC. ECF No. 7.  
15 While the plaintiffs' allegations do not conclusively prove diversity jurisdiction, I will deem my  
16 order satisfied, and I will not dismiss this case based on subject matter jurisdiction at this time.  
17 However, the plaintiffs remain responsible for proving that this court has subject matter  
18 jurisdiction over the case before judgment is entered.

19 I THEREFORE ORDER that my order to show cause (ECF No. 6) is satisfied, and I will  
20 not dismiss this case for lack of subject matter jurisdiction at this time. However, the plaintiffs  
21 remain responsible for proving subject matter jurisdiction before judgment is entered.

22 DATED this 22nd day of February, 2023.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE